IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

W.A.No.1933 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.4245/2007 DATED 18/05/2007

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APPELLANT: PETITIONER:-

MESSERS.THIEH INGOTS (P) LTD.,
A COMPANY INCORPORATED UNDER THE COMPANIES ACT
HAVING ITS FACTORY AND OFFICE AT NEW INDUSTRIAL AREA,
KANJIKODE REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.P.R.VENKETESH

RESPONDENTS: RESPONDENTS:-

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,
   POWER (B) DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. KERALA STATE ELECTRICITY BOARD
   REPRESENTED BY THE SECRETARY,
   KERALA STATE ELECTRICITY BOARD, VYDYUTHIBHAVANAM,
   PATTOM PALACE PO, THIRUVANANTHAPURAM.

3. THE DEPUTY CHIEF ENGINEER,
   ELECTRICIAL CIRCLE, T.B.ROAD, PALAKKAD.

R1 BY SENIOR GOVERNMENT PLEADER SMT.MEERA.
R2 & R3 BY STANDING COUNSEL SRI.C.K.KARUNAKARAN.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A. No. 1933 of 2007

Dated this the 18th day of August, 2007.

J U D G M E N T

H.L.Dattu, C.J.

The matter is posted for admission today, but by consent of the learned counsel for the parties to the lis, it is taken up for final hearing.

(2). The appellant is not aggrieved as such by the orders passed by the learned Single Judge in W.P.(C). No.4245 of 2007 dated 18th May, 2007, except to a small extent, that is, while allowing the writ petition filed by the petitioner, the learned Judge ought to have issued a time-bound direction to the respondents.

(3). We have heard the learned counsel appearing for both the parties.

(4). In our opinion, having granted the main relief, the learned Judge could have directed the respondents to comply with the orders and directions issued by him within a particular time-frame. If such a direction was issued, no prejudice would have caused to the respondents in any manner whatsoever. In view of this, we intend to modify the order passed by the learned Single Judge to that extent alone. Therefore, the following:

ORDER

(i). The writ appeal is disposed of.

(ii). Respondent No.2 is directed to comply with the orders and directions issued by this court in W.P.(C). No.4245 of 2007 dated 18-5-2007, within three months from today.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS